

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

STATESBORO DIVISION

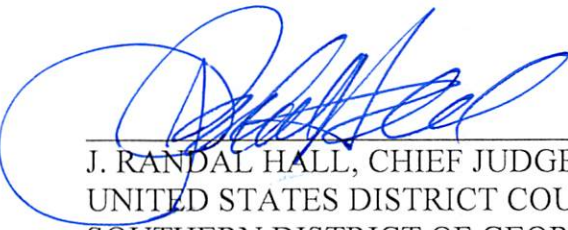
CHRISTOPHER L. AMERSON,)	
)	
Plaintiff,)	
)	
v.)	CV 619-128
)	
TIMOTHY WARD; GREG DOZIER;)	
THOMAS ROBERT TOOL; TERENCE)	
KILPATRICK, Warden; YOLANDA BYRD,)	
Tier Warden of Security; DERIC GODFRY,)	
Unit Manager; SGT. QUAN JACKSON;)	
LT. KENDRIC JACKSON; SGT. SUMNER;)	
SMITH, Warden of Security; and LT. OSCAR)	
WAYCASTER,)	
)	
Defendants.)	

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. (Doc. no. 17.) Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, **DISMISSES** Plaintiff's Count One claim alleging inadequacies in the response to his purported assault; **DISMISSES** Plaintiff's Count Two claim for unsafe prison conditions against Defendants Ward, Dozier, Tool, Godfry, Sgt. Quan Jackson, and Lt. Kendric Jackson, and **DISMISSES** these Defendants from the case except Sgt. Quan Jackson; **DISMISSES** Plaintiff's Count Three claim alleging failure to protect; and **DISMISSES** Plaintiff's official capacity claims for monetary damages as to all remaining

Defendants. The case shall proceed based on Plaintiff's Count Two claim for unsafe prison conditions against Defendants Kilpatrick, Byrd, and Smith; Plaintiff's Count Four claim for excessive force and retaliation against Defendant Waycaster; Plaintiff's Count Five claim for medical deliberate indifference against Defendants Waycaster and Sgt. Quan Jackson; and Plaintiff's Count Six claim for failure to intervene against Defendant Sumner, as described in the Magistrate Judge's November 13, 2020 Order.

SO ORDERED this 9th day of December, 2020, at Augusta, Georgia.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA